United States District Court
For the Northern District of California

1

2

3

4

5   UNITED STATES DISTRICT COURT

6   NORTHERN DISTRICT OF CALIFORNIA

7

8   STEVE CRUMP,   No. C-11-4460 EMC (pr)

9   Plaintiff,

10   v.   **ORDER OF DISMISSAL**

11   Sgt. Officer TREVELYON JONES, *et al.*,

12   Defendants.
     _____/

13

14

15   Steve Crump, a pretrial detainee at the Santa Rita County Jail, filed this *pro se* civil rights

16   action under 42 U.S.C. § 1983. The complaint is now before the Court for review under 28 U.S.C. §

17   1915A.

18   In his complaint, Crump alleges that: (1) Oakland Police officer Trevelyon Jones

19   confiscated his computer on or about February 12, 2011, without any notice to Crump; (2) Crump

20   was unable to retrieve the computer from the Oakland Police Department despite several efforts to

21   do so; (3) Crump was improperly arrested when he went to the police station to retrieve his

22   computer; and (4) Crump should have been arrested on the charges of making terrorist threats and

23   identity theft at the same time he was arrested in February 2011 on a domestic violence charge

24   (apparently which would have obviated a second arrest and reduce his jail time).

25   The claims in the complaint repeat those alleged by Crump in two other cases. The first two

26   claims are the same as those asserted in *Crump v. Jones*, No. C 11-2679 EMC, and the second two

27   claims are the same as those asserted in *Crump v. Jones*, No. C 11-4533 EMC.

28

1   The complaint is frivolous because it is duplicative. *See Cato v. United States*, 70 F.3d 1103,

2 1105 n.2 (9th Cir. 1995); *Bailey v. Johnson*, 846 F.2d 1019, 1021 (5th Cir. 1988) (duplicative or

3 repetitious litigation of virtually identical causes of action is subject to dismissal under 28 U.S.C. §

4 1915 as malicious). The Court must dismiss an *in forma pauperis* action at any time if it determines

5 that the action "is frivolous or malicious." 28 U.S.C. § 1915(e)(2)(B)(i). Accordingly, this action is

6 **DISMISSED** with prejudice. The Clerk shall close the file.

7

8   IT IS SO ORDERED.

9

10 Dated: October 6, 2011

11 _____

    EDWARD M. CHEN

12   United States District Judge

United States District Court
For the Northern District of California

2